

**UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF NEW YORK**

GOOGLE LLC,

Plaintiff,

v.

Civil Action No. 1:21-cv-10260-DLC

DMITRY STAROVIKOV;

ALEXANDER FILIPPOV;

Does 1–15,

Defendants.

**DECLARATION OF LAURA HARRIS IN SUPPORT
OF GOOGLE LLC’S MOTION FOR SANCTIONS**

I, Laura Harris, hereby declare and state as follows:

1. I am an attorney with the law firm of King & Spalding LLP and counsel of record for Plaintiff Google LLC (“Google”). I am a member of good standing of the bar of New York. I make this declaration in support of Google’s Motion for Sanctions, of my own personal knowledge and, if called as a witness, I could and would testify competently to the truth of the matters set forth herein.

2. I—along with others at King & Spalding working under my supervision—have corresponded with Defendants’ counsel, Mr. Igor Litvak, in connection with the parties’ Rule 26 Discovery Plan, Defendants’ initial disclosures, and Defendants’ ongoing failure to comply with Google’s discovery requests. I have attached to this Declaration key pieces of correspondence and related documents in support of Google’s Motion for Sanctions.

3. A true and correct copy of the transcript from the June 1, 2022 Initial Pretrial Conference is attached hereto as **Exhibit 1**.

4. A true and correct copy of the email that Mr. Litvak sent to me on February 15, 2022, indicating that he would be representing the named Defendants in this action, is attached hereto as **Exhibit 2**.

5. A true and correct copy of the May 17, 2022 email from King & Spalding to Mr. Litvak, attaching Google’s initial proposed Rule 26(f) Report, is attached hereto as **Exhibit 3**.

6. A true and correct copy of Mr. Litvak’s May 17, 2022 email, responding to King & Spalding and proposing revisions to the draft Rule 26(f) Report, is attached hereto as **Exhibit 4**.

7. A true and correct copy of Mr. Litvak’s May 20, 2022 email to King & Spalding, proposing further revisions to the Rule 26(f) Report, is attached hereto as **Exhibit 5**.

8. On May 31, 2022, King & Spalding responded to Mr. Litvak, proposing additional revisions to the Rule 26(f) Report. A true and correct copy of King & Spalding's May 31, 2022 email is attached hereto as **Exhibit 6**.

9. Mr. Litvak responded to King & Spalding on May 31, 2022, indicating that Defendants Starovikov and Filippov would not consent to Default Judgment against the Doe Defendants and requesting that the parties "keep" the draft language about "exchanging computers[.]" A true and correct copy of Mr. Litvak's May 31, 2022 email is attached hereto as **Exhibit 7**.

10. A true and correct copy of Mr. Litvak's June 2, 2022 email to King & Spalding, indicating that Defendants had "not yet started the process of applying for international passports," is attached hereto as **Exhibit 8**.

11. A true and correct copy of Defendants' Initial Disclosures is attached hereto as **Exhibit 9**.

12. A true and correct copy of Defendants' Amended Initial Disclosures is attached hereto as **Exhibit 10**.

13. A true and correct copy of Mr. Litvak's July 19, 2022 email to King & Spalding, stating that Defendants' "devices were returned to Valtron [LLC]," that Defendants no longer worked for Valtron, and that "there is no way for them to get those devices back from Valtron," is attached hereto as **Exhibit 11**.

14. A true and correct copy of the transcript from the July 29, 2022 Discovery Conference is attached hereto as **Exhibit 12**.

15. On July 29, 2022, the Court ordered Google to serve questions on Defendants and their counsel "regarding their knowledge of or access to discoverable information"; Google's

questions were due August 1, with Defendants' answers due August 8. ECF 100. A true and correct copy of Google's questions, dated August 1, 2022, is attached hereto as **Exhibit 13**.

16. On August 8, 2022, Defendants submitted identical declarations and Defendants' counsel submitted a letter purporting to address some of the topics raised in Google's August 1 questions. True and correct copies of Defendants' August 8, 2022 declarations are attached hereto as **Exhibit 14** (Starovikov Decl.) and **Exhibit 15** (Filippov Decl.). A true and correct copy of Mr. Litvak's August 8, 2022 letter is attached hereto as **Exhibit 16**.

17. On July 19, 2022, Google served its first requests for production of documents, requests for inspection of devices, and interrogatories. A true and correct copy of Google's requests for production of documents and inspection of devices is attached hereto as **Exhibit 17**. A true and correct copy of Google's interrogatories is attached hereto as **Exhibits 18**.

18. A true and correct translation of the transcript of Mr. Litvak's interview discussing the transportation of devices used in "hacking and cybercrime" is attached hereto as **Exhibit 19**.

In accordance with 28 U.S.C. § 1746, I declare under penalty of perjury that the foregoing is true and correct to the best of my knowledge.

Executed on August 22, 2022 in New York, New York.

/s/ Laura Harris

Laura Harris